

### Remark

Applicants respectfully request reconsideration of this application as amended. Claims 1, 2, 4, 8, 13, 21 and 25 have been amended. No claims have been cancelled. Therefore, claims 1-27 are present for examination.

### Specification

The Examiner has objected to the disclosure based on typographical and grammatical errors. The corrections suggest by the Examiner are made in the amendments above.

### 35 U.S.C. §102 Rejection

#### *Cunningham et al.*

The Examiner has rejected claims 1-16 and 25-27 under 35 U.S.C. §102 (e) as being anticipated by Cunningham et al., U.S. Patent No. 6,366,217 ("Cunningham"). The Examiner suggests that the second recited element of Claim 1 is shown and described in Figure 1 and in Col. 6, line16 to Col. 7, line13. In Cunningham beginning Col. 6, the sensor interface modules 104 collect data from respective sensors (6302-6316 of Figure 49) and send the data to one or more data collection modules 112, 114 over wireless links 108. The data collection modules send the data to a single network system 118 (CN). There is no suggestion in Cunningham that any of the sensor interface modules receive information from any other sensor interface module. The communications in Figure 1 all flow from left to right.

The second element recited in Claim 1 is "a network of monitoring devices, each monitoring device having a meter interface to acquire monitoring data from a meter and a radio interface to transmit the acquired monitoring data to the central gateway, to receive monitoring data from other monitoring devices, and to relay the received monitoring data to the central gateway."

Applicants are unable to find any suggestion in Cunningham that each monitoring device receive monitoring data from other monitoring devices and relay the monitoring data received from other monitoring devices to the central gateway. (Note that in claim 1, each monitoring device acquires monitoring data through a meter interface and receives monitoring data through a radio interface. Accordingly, the claims do not read on the data collection modules which have no meter interface.)

Looking more closely at the cited section of the reference, the paragraphs at 6:16-36 describe how each sensor interface module communicates with a data collection module. There is no mention that the sensor interface modules communicate with each other. The paragraph at 6:37-55 discusses a sensor interface module communicating with a first data collection module vs. communicating with a first and a second data collection module. The following paragraph continues on this topic. The last portion concerns when and how the data collection modules forward information. The forwarding is to the network system (7:24-26) not to another sensor interface module. There is no mention of a sensor interface module communicating with another sensor interface module. All the communications follow only the lines in Figure 1 from left to right.

The Examiner cites no other section of Cunningham to suggest that each monitoring device receive monitoring data from other monitoring devices and relay the monitoring data received from other monitoring devices to the central gateway. With respect to Claims 6 and 7, the Examiner refers to links between 6318-6324, however, as shown in the drawing, the sensors communicate only with their respective sensor interface modules. The rest of the connections are the same as in Figure 1. While there may be two-way communication between a telemetry interface module and the corresponding meter on the left side of the figure and while there may be two-way communication between a telemetry interface module and a telemetry gateway, there is nothing to

suggest communication between a telemetry interface module and another telemetry interface module either directly or through a telemetry gateway (see Column 47). Accordingly, Claims 1 and 21 and the claims that depend therefrom are believed to be allowable over the references.

As to Claim 8, the Examiner suggests that a circuit switched connection command from the monitoring device and a packet data connection through a central gateway is shown at Columns 35 and 36. The transmission from the sensor interface module of Cunningham to the data collection module is described starting Column 13, line 46. In brief, it seems to be a random access one-way transmission. The sensor interface module selects from one of 25 different frequencies (16:9) and sends a packet using a timing that it determines (16:14). There is no suggestion that any commands be sent, that a circuit be established or that circuits are switched among different sensor interface modules. The section cited by the Examiner at Columns 35 and 36 describes communications between the data collection modules and also with the upstream equipment (CN, HM). The IP datagrams that are sent do not appear to be circuit switched any more than the data sent by a sensor interface module. There is no suggestion that a command from a sensor interface module is received and responded to. Accordingly, Claim 8, 13 and 25 and the claims which depend therefrom are believed to be allowable over the reference.

**35 U.S.C. §103 Rejection***Cunningham in view of Numminen or Patton*

The Examiner has rejected claim 17 under 35 U.S.C. §103 (a) as being unpatentable over Cunningham in view of Numminen, U.S. Patent No. 6,687,449 ("Numminen") and claim 18 in view of Patton, U.S. Publication No. 2002/0196789 A1 ("Patton"). Neither reference was cited to show nor do they show any of the teachings which are described above as missing from Cunningham. Accordingly, these rejections are believed to be traversed.

### Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.


### Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
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